



February 17, 2006

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## ENGROSSED HOUSE BILL No. 1209

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DIGEST OF HB 1209 (Updated February 15, 2006 3:52 pm - DI 75)

**Citations Affected:** IC 16-41.

**Synopsis:** Public transportation smoking prohibition. Prohibits smoking in a public means of mass transportation, in an enclosed area of a public mass transportation terminal or waiting area, or within 100 feet of an entrance to a public mass transportation terminal or waiting area.

**Effective:** July 1, 2006.

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**Turner, Welch, Brown T, Smith V**  
(SENATE SPONSORS — DILLON, BREAUX)

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January 9, 2006, read first time and referred to Committee on Public Health.  
January 17, 2006, reported — Do Pass.  
January 23, 2006, read second time, ordered engrossed.  
January 24, 2006, engrossed.  
January 26, 2006, read third time, passed. Yeas 72, nays 5.

SENATE ACTION

February 1, 2006, read first time and referred to Committee on Commerce and Transportation.  
February 16, 2006, reported favorably — Do Pass.

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y

EH 1209—LS 6410/DI 77+



February 17, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1209

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-41-37-4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. A person who  
3 smokes:

4 (1) in a public building, except in an area designated as a smoking  
5 area under section 5 of this chapter;

6 (2) in the retail area of a grocery store or drug store that is  
7 designated as a nonsmoking area by the store's proprietor;

8 (3) in the dining area of a restaurant that is designated and posted  
9 as the restaurant's nonsmoking area by the restaurant's proprietor;

10 **or**

11 (4) in a school bus during a school week or while the school bus  
12 is being used for a purpose described in section 2.3(3) of this  
13 chapter;

14 (5) in a public means of mass transportation, including a  
15 train, an airplane, a taxicab, or a bus; or

16 (6) in an enclosed area of a public mass transportation  
17 terminal or waiting area or within one hundred (100) feet of

EH 1209—LS 6410/DI 77+



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1           **an entrance to a public mass transportation terminal or**  
2           **waiting area;**  
3       commits a Class B infraction. However, the violation is a Class A  
4       infraction if the person has at least three (3) previous unrelated  
5       judgments for violating this section that are accrued within the twelve  
6       (12) months immediately preceding the violation.

**C**  
**O**  
**P**  
**Y**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1209, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN T, Chair

Committee Vote: yeas 10, nays 0.

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 SENATE MOTION

Madam President: I move that Senator Breau be added as cosponsor of Engrossed House Bill 1209.

DILLON

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 COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Transportation, to which was referred House Bill No. 1209, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1209 as printed January 18, 2006.)

LANDSKE, Chairperson

Committee Vote: Yeas 8, Nays 0.

**C**  
**O**  
**P**  
**Y**

